

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

LAURA ALLEN, INDIVIDUALLY AND AS ADMINISTRATRIX )  
OF THE ESTATE OF DAN ALLEN, AND AS NEXT FRIEND )  
OF TAYLOR ALLEN AND DANIELLE ALLEN; )  
AND MARK ALLEN, )  
Plaintiffs, )  
v. ) CIVIL ACTION  
MARTIN SURFACING, A Division of SOUTHWEST ) NO. 05-40048-FDS  
RECREATIONAL INDUSTRIES, INC; SOUTHWEST )  
RECREATIONAL INDUSTRIES, INC ., d/b/a MARTIN )  
SURFACING, )  
Defendants. )

**PLAINTIFFS' MOTION TO ADMIT ALAN BELL, ESQ. PRO HAC VICE,  
PURSUANT TO LOCAL RULE 83.5.3(b)**

**NOW COME** the plaintiffs in this action, through their counsel, and move that this Honorable Court allow Attorney Alan Bell to appear in this case, *pro hac vice*. In support hereof, the plaintiffs state that (1) Mr. Bell is a member of the bar in good standing in every jurisdiction where he has been admitted to practice; (2) there are no disciplinary proceedings pending against him as a member of the bar in any jurisdiction; and (3) he is familiar with the Local Rules of the United States District Court for the District of Massachusetts; and further, his application for leave to practice in this court is on motion of a member of the bar of this court, who has already filed an appearance.

In support of this Motion, the plaintiffs file herewith an affidavit of Alan Bell, and a copy of a Certificate of Good Standing from the Florida Bar.

Dated: November 27, 2006

Respectfully Submitted,  
The Plaintiffs,  
By their counsel

/s/ Michael R. Hugo  
Michael R. Hugo, BBO#243890  
95 Commercial Wharf  
Boston, Massachusetts 02110  
Phone: (617) 973-9777  
Fax: (617)227-4006  
[mhugo@lopez-hodes.com](mailto:mhugo@lopez-hodes.com)

and

/s/ Anthony Tarricone  
Anthony Tarricone BBO# 492480  
[atarricone@kreindler.com](mailto:atarricone@kreindler.com)

James D. Gotz BBO# 567157  
[jgotz@kreindler.com](mailto:jgotz@kreindler.com)

Kreindler & Kreindler LLP  
277 Dartmouth Street  
Boston, Massachusetts 02116  
Phone: (617) 424-9100  
Fax: (617) 424-9120

**CERTIFICATE OF SERVICE**

I, James D. Gotz, certify that on this 27<sup>th</sup> day of November, 2006, I caused all counsel of record to be served the within PLAINTIFFS' MOTION TO ADMIT ALAN BELL, ESQ. *PRO HAC VICE*, PURSUANT TO LOCAL RULE 83.5.3(b), via the Electronic Court Filing system.

/S/ James D. Gotz

**SO ORDERED:**

This 27<sup>th</sup> day of November, 2006

F. Dennis Saylor, USDJ

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**AFFIDAVIT OF ALAN BELL, ESQ., IN SUPPORT OF  
PLAINTIFFS' MOTION TO ADMIT ALAN BELL, ESQ. PRO HAC VICE,  
PURSUANT TO LOCAL RULE 83.5.3(b)**

I, Alan Bell, Esq., depose and state as follows:

1. I am and have been a member in good standing of the Florida Bar and the U.S. Court of Appeals, 11<sup>th</sup> Circuit, in the Southern District of Florida since 1980.
  2. I was initially contacted by the Plaintiffs, Laura and Dan Allen, who resided in the State of Massachusetts, for legal representation. Thereafter, I referred their case to Michael Hugo and Anthony Tarricone, both members of the Massachusetts Bar
  3. The client, Laura Allen has requested that I remain part of the legal team. I wish to stay involved in an advisory and consulting capacity, though not necessarily in day to day or in court proceedings.

4. I request to be added as co-counsel in the U.S. District Court for the District of Massachusetts for Case No. 05-40048, *Allen et al v. Martin Surfacing et al*, pursuant to the applicable Local Rules of the District of Massachusetts pertaining to appearances *Pro Hac Vice*.
5. There are no disciplinary proceedings pending against me as a member of the bar in any jurisdiction.
6. I am familiar with the Local Rules of the U.S. District Court for the District of Massachusetts.
7. My application for leave to practice in this matter is made upon motion of one or more attorneys who are admitted to practice before this Honorable Court, who have already filed their appearances.
8. All statements contained herein are true to the best of my knowledge and belief, and are made upon personal knowledge.

SIGNED this 27<sup>th</sup> Day of November, 2006, under the PAINS and PENALTIES of PERJURY.

/s/ Alan Bell  
Alan Bell, Esq.



# The Florida Bar

**JOHN F. HARKNESS, JR.**  
**EXECUTIVE DIRECTOR**

**651 EAST JEFFERSON STREET**  
**TALLAHASSEE, FLORIDA 32399-2300**

**850/561-5600**  
**www.FLABAR.ORG**

State of Florida      )  
County of Leon      )

In Re: 288004  
Alan Bell  
5198 Clover Creek Drive  
Boynton Beach, Florida

I HEREBY CERTIFY that I am the duly appointed custodian of membership records of The Florida Bar.

I FURTHER CERTIFY that the records in the office of the Clerk of the Supreme Court of Florida indicate that said attorney was admitted to practice law in the State of Florida on December 11, 1979.

I FURTHER CERTIFY that the records in the office of The Florida Bar indicate that the above attorney is a member of The Florida Bar in good standing.

Dated this 10<sup>th</sup> day of July, 2006.

A handwritten signature in black ink that reads "Willie Mae Shepherd".

Willie Mae Shepherd  
Supervisor, Membership Records  
The Florida Bar

WMS/jth7/R10